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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,806	12/22/2000	Seppo Matias Alanara	367.39428X00	9056

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EXAMINER

CAO, CHUN

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 10/29/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,806

Applicant(s)

ALANARA, SEPPO MATIAS

Examiner

Chun Cao

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-26 are presented for examination according to preliminary amendment received on 12/20/2000.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

Claim Rejections - 35 U.S.C. § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-3, 5-8 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a). The following term lacks proper antecedent basic:

claim 1: line 1, "the accuracy"; line 3, "the clock time"; line 5, "the time-keeping operation"; line 6, "the time", "the basis"; line 7, "the difference";

claims 2 and 8: line 2, "the signal";

claim 3: line 3, "the frequency";

claim 5: lines 2-3, "the user";

claim 6: line 2, "the radio device"; line 4, "the radio interface";

claim 7: line 2, "the clock time"; lines 2-3, "the processing means"; lines 4-5, "the time-keeping operation";

claim 8: lines 2-3, "the basis";

claim 11: lines 2-3, "the behavior", "the components".

Claim Rejections - 35 U.S.C. § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Davidson et al. (Davidson), U.S. Patent No. 4,407,589.

As per claim 1, Davidson teaches a method for maintaining an accuracy of a clock [col. 5, lines 66-67], comprising the steps of:

setting a clock time on a first occasion [col. 5, lines 20-21];

setting the clock time of on a second occasion [col. 5, lines 21-32]; and

adjusting a time-keeping operation of the clock on a basis of a time which elapsed between the first and second occasions, and a difference in clock time just prior to the second occasion and as set on the second occasion [col. 5, lines 2-9, 28-40].

As to claims 2 and 13, Davidson teaches that the clock comprises an oscillator and processing means for processing a signal from the oscillator on the basis of a timing parameter to produce an indication of clock time [figures 1, 2; col. 2, lines 48-50; col. 3, lines 22-29].

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As per claim 3, Davidson teaches that the time-keeping operation of the clock is adjusted by re-tuning a frequency of the oscillator [col. 3, lines 22-29].

As per claim 4, Davidson teaches that the timing parameter of the processing means is adjusted [col. 3, lines 22-26; col. 5, lines 2-9].

As per claim 5, Davidson teaches that the setting of the clock time is performed by an user [col. 5, lines 20-21].

Claim Rejections - 35 U.S.C. § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-12 and 14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al. (Davidson), U.S. Patent No. 4,407,589 in view of Ogiyama (Ogiyama), U.S. Patent No. 5,528,560.

Ogiyama is a prior art reference cited by applicant in paper no. 4

As to claims 6 and 14-17, Davidson does not teach the clock time is set by a remote time reference via a radio interface of a radio device.

Ogiyama teaches that the clock forms part of the radio device [fig. 1], wherein the clock time is set by a remote time reference via a radio interface of a radio device [col. 1, lines 29-35, 54-68; col. 3, lines 2-6].

It would have been obvious to one of ordinary skill in the art at time the invention to combine the teachings of Davidson and Ogiyama because Ogiyama's teaching stated above would improve the functionality of Davidson's system by setting the clock time remotely.

9. As to claims 7-12 and 18-26, Davidson and Ogiyama together teach the claimed method of steps of claims 1-6. Therefore, Davidson and Ogiyama together teach the claimed system.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Komoda, US patent No. 5,748,570, teaches of time correction of an electronic clock in a portable radio telephone [col. 1, lines 14-19, 50-65].

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703)308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone

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are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703)305-9717. The fax number for this Art Unit are followings: After-Final (703) 746-7238; Official (703) 746-7239; Non-Official (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)306-5631.

A handwritten signature in black ink, appearing to read 'Chun Cao', with a stylized flourish at the end.

Chun Cao

Oct. 24, 2003